

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION

UNITED STATES OF AMERICA

v.

FRANK RUSSELL MCCOY

Case No. 1:07-CR-18-WLS

---

**ORDER**

The Defendant's *Unopposed Motion for a Continuance* of the above-styled matter to the October 2009 trial term (Doc. 102) having been read and considered, the Court finds:

1. that the Defendant has moved for this continuance pursuant to 18 U.S.C. § 3161(h)(8)(B)(ii) – maintaining that this particular prosecution “is so unusual [and] [] complex, due to...the nature of the prosecution, [] [and] the existence of novel questions of fact or law, that it [] [would be] unreasonable to expect adequate preparation for...the trial itself within the time limit[] established”, which is currently the June 2009 trial term; and,

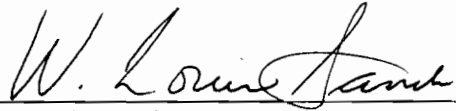
2. that counsel for the Defendant represents that the government does not oppose the instant request for a continuance;

THEREFORE, the Court finds that the ends of justice served by the granting of this continuance outweigh the interests of the public and the defendant in a speedy trial.

The Court having made the foregoing findings, the Defendant's Motion for Continuance (Doc. 102) is hereby GRANTED and the matter is hereby continued to the October 2009 trial term of the Albany Division of the Middle District of Georgia.

IT IS FURTHER ORDERED that the time period occasioned by this continuance is excluded from the calculations of time contemplated by the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*

So ORDERED this 3rd day of April, 2009.

A handwritten signature in black ink, appearing to read "W. Louis Sands", written over a horizontal line.

W. Louis Sands  
United States District Judge